

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**J.Q.T., a minor, by and through his parent  
natural guardian Juan Jovan Quinones,  
Plaintiff,**

**v.**

**STEPHANIE AMATO, and  
THE SCHOOL DISTRICT OF  
PHILADELPHIA,  
Defendants.**

**CIVIL ACTION**

**NO. 17-3316**

**ORDER**

**AND NOW**, this 21st day of September, 2018, upon consideration of Defendant School District of Philadelphia's Motion to Dismiss (Document No. 16, filed July 26, 2018), Plaintiff's Response to Defendant, School District of Philadelphia's Motion to Dismiss (Document No. 22, filed August 23, 2018), and Defendant's Reply Brief in Support of the Motion to Dismiss (Document No. 25, filed August 30, 2018), for the reasons set forth in the accompanying Memorandum dated September 21, 2018, **IT IS ORDERED** that Defendant's Motion to Dismiss is **DENIED WITHOUT PREJUDICE** to defendant's right to raise the issues presented after completion of discovery by motion for summary judgment and/or trial.

**IT IS FURTHER ORDERED** that a Preliminary Pretrial Conference will be scheduled in due course. Discovery may proceed in the interim.

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**